Karen Johnson Davidson County
Batch# 239984 DEEDWARRSP
06/06/2019 11:45:22 AM 4 pgs
Fees: $23.00 Taxes: $12,302.50
20190606-0054235

SPECIAL WARRANTY DEED

FROM: Forty Rutledge Street

This instrument was prepared by:
C. Mark Carver, Esq.
Sherrard Roe Voigt & Harbison, PLC
150 3rd Avenue South, Suite 1100
Nashville, TN 37201

TO: 1320 5th Avenue North, LLC

Address New Owner(s) as Follows:	Send Tax Bills To:	Map/Parcel Number:
1320 5th Avenue North, LLC 3841 Green Hills Village Dr., Suite 400 Nashville, TN 37215	Same	082-09-0-158.00

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration for this transfer is $3,325,000.00.

Affiant

Sworn to and subscribed before me, this 6th day of June, 2019.

BRANDY GOMAN STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

Notary Public

My Commission Expires: 7-5-22

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION OF the sum of Ten Dollars, cash in hand paid by the hereinafter named Buyer, and other good and valuable considerations, the receipt of which is hereby acknowledged, **Forty Rutledge Street,** a Tennessee general partnership (hereinafter called the "Seller"), has bargained and sold, and by these presents does transfer and convey unto **1320 5th Avenue North, LLC**, a Delaware limited liability company (hereinafter called the "Buyer"), and Buyer's successors and assigns, all of Seller's interest as owner in a certain tract of land in Davidson County, Tennessee, described on Exhibit A attached hereto and incorporated herein by reference, and any improvements thereon.

The above-referenced property is conveyed subject to the matters set forth on Exhibit B attached hereto and incorporated herein by reference.

This is improved property located at 1314 5th Avenue North, Nashville, Davidson County, Tennessee 37208.

TO HAVE AND TO HOLD the said real property, together with all rights and appurtenances thereunto belonging or in any wise appertaining to Buyer, its successors and assigns, forever in fee simple.

Seller further covenants and binds itself, its representatives, successors and assigns to warrant specially and forever defend the title to said real estate to Buyer, and Buyer's successors and assigns, against the lawful claims of all persons claiming through and under Seller (other than claims arising out of the matters set forth above), but not further or otherwise. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Seller has caused this Special Warranty Deed to be executed effective as of the 5th day of June, 2019.

SELLER:

Forty Rutledge Street,
a Tennessee general partnership

By: _____
Elizabeth D. Lose, General Partner

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Sandra A. Wemple, a Notary Public in and for the County and State aforesaid, personally appeared Elizabeth D. Lose, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be the authorized General Partner of Forty Rutledge Street, a Tennessee general partnership, the within named bargainor, and that she as such General Partner being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the company by herself as General Partner.

Witness my hand and seal at office in Nashville, Tennessee, this 4th day of June, 2019.

_____
Notary Public

My Commission Expires: 9-7-21

SANDRA A. WEMPLE
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON

EXHIBIT A

PROPERTY DESCRIPTION

Beginning at a P.K. nail on the easterly margin of 5th Avenue North at the southwest corner of the property conveyed to Mid-South Materials Company by deed, as of record in Book 9123, page 338, Register's Office, Davidson County, Tennessee, and being more particularly described as follows:

1) Thence N 69°47'59"E, 174.04 feet to an iron pin;

2) Thence S 20°26'44"E, 167.94 feet to an iron pin;

3) Thence S 69°45'14"W, 173.99 feet to a P.K. nail;

4) Thence N 20°27'49"W, 168.08 feet to the point of beginning, containing 29,235.59 square feet or 0.67 acres.

Being part of the same property conveyed to PRK PROPERTIES II, INC., by deed from FINOVA CAPITAL CORPORATION, of record as Instrument No. 20010529-0055248, dated May 25, 2001, said Register's Office.

Being further conveyed to FORTY RUTLEDGE STREET, A TENNESSEE GENERAL PARTNERSHIP, by Quitclaim Deed from PRK PROPERTIES II, INC., A TENNESSEE CORPORATION, of record as Instrument No. 20040108-0003097, dated December 29, 2003, as corrected by Scrivener's Affidavit of record as Instrument No. 20150930-0099603, said Register's Office.

EXHIBIT B

PERMITTED EXCEPTIONS

1. Taxes for the year 2019 and future taxes, a lien, not yet due and payable.

2. Easement for ingress and egress approximately 8 feet in width and approximately 25 feet in length along the rear property line between 1314 and 1312 5th Avenue North, as a walk way access, and COVENANT as a burden on 1314 5th Avenue North and running with the land in favor of present and future owners of 1312 5th Avenue north, restricting the use of the premises at 1314 5th Avenue North, prohibiting use of 1314 5th Avenue North for any immoral purpose or any activity that would produce excessive noise, dust, fumes, or noxious odors, of record in Book 6177, page 928, Register's Office for Davidson County, Tennessee.